

**BEST AVAILABLE COPY**REMARKS

The Examiner is once again thanked for his careful search of the prior art and careful attention to the present patent application. Notwithstanding the effort and thoroughness that the Examiner has applied to his consideration of the present application, applicants respectfully traverse all of the rejections in the application.

Discussion of Withdrawn Rejections

Applicants note that the previous rejections have been withdrawn and have not been repeated in this Office Action.

Discussion of Section 112 Rejection

Applicants respectfully traverse the Section 112 rejection. The term "some" in claim 1 does not render the claim indefinite. The claim simply specifies that at least some of the malto-oligosaccharides are derivatized with a saccharide. Applicants respectfully traverse the Examiner's statement that the specification does not give sufficient detail for ascertaining the requisite degree of derivatization. The specification provides numerous examples and general teachings as to how the invention and its best mode should be practiced.

Discussion of Double Patenting Rejection

The double patenting rejection is respectfully traversed. The Examiner relies on the specification of the '418 patent for the double patenting rejection, which is improper. The processes described in the '418 patent claims and in the claims of the present application are different, and there is no teaching in the combined '418 patent claims and the Vianen reference of the present invention. Withdrawal of this rejection is respectfully solicited.

Discussion of Section 103 Rejection

Applicants respectfully traverse the Section 103 rejection. The '418 patent and the present application were commonly owned and/or subject to an obligation of assignment at the time this invention was made. The present application was filed after November 29, 1999. The

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Examiner is requested to consider the enclosed Declaration of Richard L. Antrim, Vice President of Intellectual Property for Grain Processing Corporation, which is the common assignee. Dr. Antrim is the inventor named in both the '418 patent and the present application. Applicants do not necessarily concur with the rejection on the merits; rather applicants submit that the rejection cannot be maintained in light of the enclosed Declaration.

**Conclusion**

Allowance is respectfully solicited.

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Respectfully submitted,

By: 

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